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THE TELANGANA GAZETTE PART-II EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 158]

HYDERABAD, TUESDAY, NOVEMBER 21, 2017.

NOTIFICATIONS BY HEADS OF DEPARTMENTS, Etc.

—X—

COMMISSIONER OF STATE TAX

—X—

PREPARATION OF SENIORITY LIST OF DCTOs OF ZONE-V, FROM THE PANEL YEAR 2009-10 TO 2012-13 - SHOW CAUSE NOTICE-ISSUED-OBJECTIONS CALLED FOR-SUBMITTED-FINAL ORDERS PASSED.

- Ref:-**
1. CCT's Ref.No. DZ(3)/44/2014, dt.11-09-2015 (final seniority list of DCTO of Zone-V, upto the panel year 2008-09).
 2. CCT's Ref.No. TS/DZ/1715/2016, dt.25-11-2016 (final seniority list of DCTO of Zone-VI, up to the panel years 2008-09).
 3. CCT's Ref.No. TS/DZ/1837/2016, dt.14-12-2016 (Integrated seniority list of DCTOs of Zone-V & VI, up to the panel year 2008-09).
 4. Telangana Extra-ordinary Gazette No.02, dated 02-01-2017.
 5. DC(CT) WGL Ref.No. A1/94/2012, dated 29-04-2014 (final seniority list of ACTOs of Zone-V, for the panel year 2005-06 to 2011-12).
 6. CCT's Procd.No. TS/DZ/745/2016, dated 22-05-2017 (SCN).
 7. Objections of Sri K. Ashok, DCTO of CTO Mancheri, dt. 03-07-2017.
 8. Objections of Sri P. Thirupathi, DCTO of CTO Peddapally, dt. 02-06-2017.
 9. Objections of Smt. Asia Sulthana, DCTO O/o the CTO Beet Bazar Circle, dt. 15-06-2017.
 10. Objections of Smt. P. Jyothi, DCTO O/o the CTO Fort Road Circle, dated 05-06-2017.
 11. Objections of Sri V. Satyanarayana, DCTO-I O/o the CTO Mancheri, Circle, dated nil.
 12. CCT's Ref.No. TS/DZ/745/2016, dated 06-10-2017 & dated 30-10-2017.

CCT's Ref.No.TS/DZ/745/2016.- The Integrated seniority list of DCTOs of Zone-V, for the panel years from 2000-01 to 2008-09, has been finalized. Subsequently, the seniority list of DCTOs of Zone-VI, for the panel years from 2007-08 to 2008-09, has been revised and finalized vide reference 2nd cited.

Basing on the above zonal seniority lists of Zone-V & VI, the Integrated seniority list of DCTOs of Zone-V & VI, have been finalized for the panel years from 2007-08 to 2008-09 vide reference 3rd cited, and published in Telangana Extra-ordinary Gazette, in the reference 4th cited.

Subsequently, the revision of Integration seniority list of ACTOs of Zone-V, up to the panel year 2011-12 has been finalized by the Deputy Commissioner (CT) Warangal, vide reference 5th cited.

In continuation to the above Zonal seniority list of DCTOs of Zone-V for the panel years 2007-08 to 2008-09, finalized in the reference 1st cited, the zonal seniority list of DCTOs of Zone-V, for the Subsequent panel years 2009-10 to 2012-13 is now taken up, basing on the integrated seniority list of ACTOs of Warangal Nodal Division finalized vide reference 5th cited.

In view of the above, it has been decided to issue show cause notice for zonal seniority list of DCTOs of Zone-V, for the years 2009-10 to 2012-13.

Accordingly, a Show Cause Notice was issued vide reference 6th cited and the affected persons were requested to file their written Objections, if any, within fifteen (15) days from the date of publication in the C.T. Department portal www.tgct.gov.in.

Aggrieved by the above Show Cause Notice, the following individuals have filed objections. The details are under.

1. Sri K. Ashok, DCTO O/o the CTO Mancherial,
2. Sri P. Thirupathi, DCTO O/o CTO Peddapally,
3. Smt. Asia Sulthana, DCTO O/o the CTO Beet Bazar,
4. Smt. P. Jyothi, DCTO O/o the CTO Fort Road and
5. Sri V. Satyanarayana, DCTO-I O/o the CTO Mancherial, Circle,

As per the above Objections received from the affected candidates it is submitted that, the objections of Sri K. Ashok, DCTO O/o the CTO Mancherial, Sri P. Thirupathi, DCTO O/o the CTO Peddapally, Smt. Asia Sulthana, DCTO O/o the CTO Beet Bazar are one and the same and they are requested for giving personal opportunity before passing the final orders to submit their evidence in the matter.

As per the request of Sri K. Ashok, DCTO O/o the CTO Mancherial, Sri P. Thirupathi, DCTO O/o the CTO Peddapally and Smt. Asia Sulthana, DCTO O/o the CTO Beet Bazar, vide this office reference 12th cited, opportunity of personal hearing was given to the individuals. The applicants were attended in persons before the undersigned on 28-10-2017 and 2-11-2017 respectively, and expressed their views as was objections in their objections 7th to 9th cited.

Their Objections of the above individuals in the matter are as under;

Objections of Sri K. Ashok, Sri P. Thirupathi, and Smt. Asia Sulthana, DCTOs.,

They are all Direct Recruit ACTOs belonging to the panel year 2006-07, and the name of Smt. K.S. Tulasi, DCTO shown at Sl.No. 19, in the above proposed seniority list of DCTOs the panel years 2009-10 to 2012-13, is injustice, stating that, as per the integrated Final seniority list of Zone-V for the panel years 2005-06 to 2011-12 passed by DC (CT) Warangal, vide Procs.No. A1/94/2012, dated 29-04-2014, Smt. Ayesha Siddiqua who was senior

to them, has been transferred on mutual grounds with Smt. K.S. Tulasi, to Andhra Pradesh Government C.T. Department, Department vide Govt. of Telangana G.O.Ms.37 Revenue (Commercial Taxes) Department dated 14-02-2017. Accordingly she has been relieved and joined in the A.P.C.T. Department. Subsequently, Smt. K.S. Tulasi, DCTO was transferred from A.P. Commercial Taxes Department and joined in Telangana Commercial Taxes Department in terms of the orders of the A.P. Government issued in G.O.Ms.No.100, Revenue (C.T.-I) Department dated 07-03-2017, subject to condition that they should not claim seniority and shall take last rank in their respective seniority lists in the respective Zones, and Smt. K.S. Tulasi, DCTO cannot claim seniority over them as per above, subject to condition stipulated in both the Government orders.

It is also further submitted that, the rule stipulated in the Special Rules or Sub-Rules (a) and (b) of Rule 33, that the order of merit or order of preference indicated in a list of selected candidates prepared by the public Service Commission or other selecting authority, shall not be disturbed inter se with reference to candidates position in such list or panel while determining the seniority in accordance with this Rule. Smt. Ayesha Siddiqua who was senior to them has got transferred to other State on her request subject to condition that Smt. K.S. Tulasi, DCTO should not claim seniority over them and shall take last rank, and Smt. K.S. Tulasi, DCTO also came to the Telangana state on same condition, and has joined in Commercial Taxes Department of Telangana State. Accordingly her name should be in the last rank in the seniority list. The name of Smt. K.S. Tulasi, is placed at Sl.No. 19 which is deviation of Government orders, stating that when the place of Smt. Ayesha Siddiqua at Sl.No. 19 is vacated from this state, it should be filled up by pulling the next candidate to that point and newly coming candidate with the condition duly agreed should be at the last rank.

Reply to the objection;

The objection filed by the individual is carefully examined with reference to relevant Rules and records, Smt. K.S. Tulasi, was initially appointed as ACTO under Direct Recruit quota in Zone - IV by selection of A.P.P.S.C., in the panel year 2005-06, in the combined erstwhile State of Andhra Pradesh, and got promotion to the post of DCTO in the month December'2010, in Zone IV. She has been transferred to the State of Telangana on mutual grounds in place of Smt. Ayesha Siddiqua, who has been selected as ACTO under Direct Recruitment quota on selection of A.P.P.S.C., in the panel year 2006-07, in the combined erstwhile State of Andhra Pradesh, and who has been promoted as DCTO in the month of June'2011, subject to condition that they should not claim seniority and take last rank in their respective seniority lists in the respective Zones.

It is also submitted that, the name of Smt. K.S. Tulasi, DCTO has been shown at Sl.No. (19) in the proposed Seniority list of DCTOs of Zone-V, for the panel year 2009-10 to 2012-13 i.e., below the name of Sri GNM Krishna Kumar and other (4) individuals and above the name of Sri P. Thirupathi, who are initially appointed as ACTOs under DR Quota in the panel year 2006-07, i.e., in the original place of Smt. Ayesha Siddiqua who has been transferred on mutual grounds, even though she is senior to all the individuals who are initially appointed as ACTOs under DR Quota in the panel year 2006-07, on the grounds that their seniority cannot be effected as per the rule stipulated in the Special Rules or Sub-Rules (a) and (b) of Rule 33, of the order of merit or order of preference indicated in the list of selected candidates prepared by the Public Service Commission and as well as the condition stipulated by the Government while they are transferred on mutual basis was by both Governments in G.O.Ms.NO.37 Revenue (Commercial Taxes) Department dated 14-02-2017, in G.O.Ms.No.100, Revenue (C.T.-I) Department dated 07-03-2017.

In view of the above, The Objections of the individuals are devoid of merits. Hence, rejected.

2) Objection of Smt. P. Jyothi, DCTO O/o the CTO Fort Road Circle:

(A) The individual has stated that she belongs to ST (Women) category and appointed by transfer to the post of ACTO against the 8th point meant for ST (Women) arisen in the panel year 2004-05, as per information obtained under RTI Act, but absorbed against 58(ST-W) in the panel year 2008-09 in the cadre of ACTO in the finalized seniority list by the DC(CT) Warangal. It is also reported that through her representation dated 22-08-2015, she made an appeal petition before the appellate authority, requesting to rectify the list and to include her name in the panel year

2004-05, which is pending before CCT., and if the proposed Zonal seniority in the cadre of DCTO Zone-V, is finalized, her chances for inclusion in the seniority list of ACTOs in Zone-V, in the panel year 2004-05 will be jeopardized. Hence she has requested to communicate orders passed, if any on the proposed Seniority list of DCTOs for information.

(B) (i) in the proposed zonal seniority list of DCTOs of Zone-V, the vacancies meant for SC/ST (W) at roster point 75, and 83 are filled by other than STs and the reasons for such inclusion are not notified in the SCN, and therefore, she has requested to notify the reasons in the matter.

(B) (ii) The name of Smt. K.S. Tulasi, DCTO who is shown at Sl.No. 19 in the proposed Seniority list of DCTOs in the panel year 2009-10 to 2012-13 above the name of Sri P. Tirupathi. But she has recently joined in Zone-V and the date falls within the panel year 2016-17 on transfer from other unit of appointment/State as per her request. Hence, her name has to be taken at the last rank below the probationers of 2016-17 panel year.

Reply to the objection;

The above objections have been examined with reference to the records, and it is stated that regarding Point No. (A), that basing on the finalized zonal seniority in the cadre of ACTOs for the panel years from 2005-06 to 2011-12, by the Nodal DC(CT) Warangal, the present proposed Zonal seniority list in the cadre of DCTOs for the panel years from 2009-10 to 2012-13, has been issued for taking further action in the matter, and the lower cadre seniority cannot be questioned at the stage of preparation of zonal seniority in the Higher cadre of DCTOs. Appeal if any pending is disposed of by the appellate authority, then her case will be considered as per the final disposal of her appeal Petition.

Regarding point No. (B) (i), it is submitted that, the adequacy of ST/ST is met with. Hence the vacancies earmarked for SC/ST have been filled with merit cum seniority in the cadre of DCTO.

Regarding point No. (B) (ii), it is submitted that, Smt. K.S. Tulasi, was initially appointed as ACTO under Direct Recruit quota in Zone-IV on Selection by A.P.P.S.C., in the panel year 2005-06, in the combined erstwhile State of Andhra Pradesh, and got promotion to the post of DCTO in the month of December 2010, in Zone-IV, and she has been transferred to the State of Telangana on mutual grounds in place of Smt. Ayesha Siddiqua, who has been selected as ACTO under Direct Recruitment quota on Selection by A.P.P.S.C., in the panel year 2006-07, in the combined erstwhile state of Andhra Pradesh, and who has been promoted as DCTO in the month of June 2011, subject to condition that they should not claim seniority and take last rank in their respective seniority list in the respective Zones.

The name of Smt. K.S. Tulasi, DCTO has been shown at Serial.No. 19 in the proposed Seniority list of DCTOs of Zone-V, from the panel year 2009-10 to 2012-13 i.e., below the name of Sri GNM Krishna Kumar and other (4) individuals, and above the name of Sri P. Thirupathi. who are initially appointed as ACTO under DR Quota in the panel year 2006-07 (i.e., in the original place of Smt. Ayesha siddiqua,) who has been transferred on mutual grounds, even though she is senior to all the individuals who are initially appointed as ACTO under DR Quota in the panel year 2006-07 on the grounds that their seniority cannot be effected as per the rule stipulated in the Special Rules or Sub-Rules (a) and (b) or Rule 33, of the order of merit or order of preference indicated in the list of selected candidates prepared by the Public Service Commission and as well as condition stipulated by the Govt. while they are transferred on mutual basis by both the Governments in G.O.Ms.No.37 Revenue (Commercial Taxes) Department dt.14-02-2017 and in G.O.Ms.No.100, Revenue (C.T.-I) Department dated 07-03-2017.

Hence, the Objection of the individual is devoid of merits and rejected.

3) Objection of Sri V. Satyanarayana, DCTO-I O/o the CTO Mancherla Circle:

- (I) The individual in his objection has challenged lower cadre zonal seniority of ACTOs of Zone-V finalized for the panel years from 2005-06 to 2011-12, by the nodal authority of DC(CT) Warangal, vide RC.No.A1/94/2012, dated 29-04-2014, stating that he had also filed representation before the DC(CT) Warangal on 21-08-2013, and also filed appeal before the appellate authority i.e., Commissioner (CT) on 10-01-2013, which are still pending.

- (II) It is also further submitted that, the zonal seniority of ACTOs of Zone-V was finalized for the panel years from 2005-06 to 2011-12, by the nodal authority i.e., DC(CT) Warangal, vide RC.No.A1/94/2012, dated 29-04-2014, but before finalisation of above seniority, promotions were effected to certain individuals whose names are included in that seniority list to the post of DCTOs by conducting DPC on 24-02-2014, which is illegal as per Service Rules, and the same has been challenged before the Hon'ble Tribunal, which is still pending before the APAT, Hyderabad.
- (III) It is also further submitted that as per the posts sanctioned in G.O.Ms.No.201. Fin. SMPC Dept., dt. 24.08.2005, read with G.O.Ms.No. 561, Rev. (CT-I) dept., dt. 13-03-2006, the upgraded posts of DCTOs will be considered in the panel year 2004-05 of DCTOs, but the same has not been reflected in the show cause notice, and requested to verify the above and do justice in the matter.

Reply to the objection;

The above objections have been examined with reference to the records, and it is stated that regarding Point No. (1) basing on the finalized zonal seniority in the cadre of ACTOs for the panel years from 2005-06 to 2011-12, by the Nodal DC(CT) Warangal, dt. 29-04-2014 the present proposed Zonal seniority list in the cadre of DCTOs for the panel years from 2009-10 to 2012-13, have been issued for taking further action in the matter. As per the finalized seniority list of ACTOs, of Zone-V, all the objection filed by the individual had been taken into consideration while finalising the above seniority list of ACTOs, and his objections were rejected at the time of finalising the said seniority.

Regarding point No. (II) & (III), it is submitted that, based on the seniority list of ACTOs of Zone-V, for the panel year 2013-14, which was prepared and finalised by the DC(CT) Warangal, vide Proceedings No.A1/94/2012, dt. 18.09.2013, DPC was conducted on 21-02-2014, to the adhoc panel of ACTOs of Zone-V fit for promotion to the cadre of DCTOs for the panel year 2013-14, and promotions were effected to the eligible candidates vide this office proceedings dated 24-02-2014.

Subsequently, a revised Show cause Notice was issued by the DC(CT) Warangal vide Ref dated 19-02-2014, as per the direction of the appellate authority on the request of Sri Govardhan Patwari, who has been appointed under DR quota, for restoration of his name, in the seniority list of ACTO of Zone-V, finalising on 18-09-2013, in terms of the Rule 24 of APS & SS Rules 1996, and restoration of DR seniority, as per the merit ranking of the APPSC, in terms of the Rule 33 and its relevant sub rule under APS & SS Rules 1996 calling for written objections from the affected candidates. After examining all the objections including the individuals objections, the seniority list was finalised on 29-04-2014. In that seniority list the individual name is placed at Sl.No. 82 in the panel year 2009-10, and in the proposed seniority list of DCTOs of Zone-V, for the panel years from 2009-10 to 2012-13, the name of Sri K. Ashok, whose name is placed at Sl.No.38, for the panel year 2006-07 (DR) has been taken into consideration as per the vacancies arose in the cadre of DCTO up to the panel year 2012-13, and the individual is much more junior in the seniority list to the names of proposed DCTOs.

Thus, the objections of the individual are devoid of merits. Hence, rejected.

In view of the above, the proposed zonal seniority list of DCTOs of Zone-V for the years 2009-10 to 2012-13, issued vide reference 6th cited is hereby confirmed as shown in the Annexure which is subject to outcome of SLP's/ W.P's/O.A's/C.A's pending, if any, before the respective Appellate forums.

A copy of the finalized Zonal Seniority list is available on the portal of the C.T. Department and can be assessed at the address; WWW.tgct.gov.in.

ANNEXURE**STATEMENT SHOWING THE FINAL SENIORITY LIST OF DCTOs OF ZONE-V, FOR THE
PANEL YEAR 2009-10 TO 2012-13.**

| Sl.No. | Panel year of the ACTOs seniority list | Name of the individual | Date of Birth | Date of Retirement | Working/ Retired |
|---------------------------|--|---------------------------|---------------|-----------------------|---------------------|
| (1) | (2) | (3) | (4) | (5) | (6) |
| PANEL YEAR 2009-10 | | | | | |
| 1 | 2005-06 | B. Arjun Rao | 03-05-1953 | 31-05-2011 | Retired |
| 2 | City List Quota | | | | |
| 3 | 2005-06 | B. Kumara Sawamy | 08-07-1953 | 31-07-2011 | Retired |
| PANEL YEAR 2010-11 | | | | | |
| 4 | 2005-06 | P. Narsaiah | 04-10-1955 | 31-10-2013 | Retired |
| 5 | 2005-06 | K. Lakshmirajyam (SC) | 05-10-1953 | 31-10-2011 | Retired |
| 6 | 2005-06 | G. Amerender | 16-06-1955 | 30-06-2013 | Retired |
| 7 | 2005-06 | G. Ravichander Kumar | 01-02-1955 | 31-01-2013 | Retired |
| 8 | 2005-06 | B. Venkateswarlu (ST) | 09-09-1960 | 30-09-2018 | Working |
| 9 | 2005-06 | A. Venkata Swamy (SC) | 06-06-1959 | 30-06-2017 | Retired |
| 10 | 2005-06 | J. Marthamma | 13-06-1955 | 30-06-2013 | Retired |
| 11 | 2005-06 | G. Ashok Kumar | 12-10-1954 | 31-10-2012 | Retired |
| 12 | 2005-06 | K. Uppalaiah (ST) | 10-08-1959 | 31-08-2017 | Retired |
| PANEL YEAR 2011-12 | | | | | |
| 13 | 2005-06 | G. Shankaraiah | 04-06-1954 | 30-06-2012 | Retired |
| 14 | 2006-07 | CH. Vasantha (SC) | 29-12-1965 | 31-12-2023 | Working |
| 15 | 2006-07 | M. Narasaiah (SC) | 01-11-1955 | 30-11-2013 | Retired |
| 16 | 2006-07 | Govardhan Patwari | 20-07-1981 | 31-07-2039 | Working |
| 17 | 2006-07 | N. Devender | 05-03-1975 | 31-03-2033 | Working |
| PANEL YEAR 2012-13 | | | | | |
| 18 | 2006-07 | GNM Krishna Kumar | 25-08-1976 | 31-08-2034 | Working |
| 19 | 2005-06 | K.S. Tulasi | 20-04-1974 | 31-04-2032 | Working |
| 20 | 2006-07 | P. Thirupathi | 23-04-1977 | 30-04-2035 | Working |
| 21 | 2006-07 | Asia Sulthana | 09-06-1983 | 30-06-2041 | Working |
| 22 | 2006-07 | K. Ashok (SC) | 04-02-1980 | 28-02-2038 | Working |

Hyderabad,
13-11-2017.

V. ANIL KUMAR,
Commissioner of State Tax.

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